

## REMARKS

In response to the Office Action dated October 22, 2004, Applicant respectfully requests reconsideration based on the above amendment and following remarks.

Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1-5 were rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Cannon. Claims 1-5 have been cancelled to expedite prosecution and such cancellation should not be construed as acquiescence in the rejection.

Claims 6-13 and 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cannon in view of Koch. Claims 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Koch in view of Shah. This application was filed after November 29, 1999 entitling this application to the benefits of 35 U.S.C. § 103(c). Applicants assert that the subject matter of this application and Koch were, at the time of the invention of the subject matter of this application, owned by the same party or subject to an obligation of assignment to the same party, namely BellSouth Intellectual Property Corporation. Accordingly, under 35 U.S.C. § 103(c), Koch cannot be applied as prior art against this application.

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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